

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) | 2:16-CR-090-APG-(GWF)           |
|                           | ) |                                 |
| Plaintiff,                | ) |                                 |
|                           | ) |                                 |
| v.                        | ) | Preliminary Order of Forfeiture |
|                           | ) |                                 |
| ROBERT W. BARNES,         | ) |                                 |
|                           | ) |                                 |
| Defendant.                | ) |                                 |

This Court finds that defendant ROBERT W. BARNES pled guilty to Count One of a One-Count Criminal Information charging him with Embezzlement in Connection with Health Care in violation of Title 18, United States Code, Section 669. Criminal Information, ECF No. 4; Plea Agreement, ECF No. 6; Arraignment and Plea No. 9.

This Court finds defendant ROBERT W. BARNES agreed to the forfeiture of the property and the imposition of the in personam criminal forfeiture money judgment set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information. Criminal Information, ECF No. 4; Plea Agreement, ECF No. 6; Arraignment and Plea No. 9.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information and the offense to which defendant ROBERT W. BARNES pled guilty.

The following money judgment and assets are (1) any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code,

1 Section 669, a specified unlawful activity as defined in Title 18, United States Code, Section  
 2 1956(c)(7)(F), involving a Federal health care offense as defined in Title 18, United States Code,  
 3 Section 24, or a conspiracy to commit such offense and (2) property, real or personal, that  
 4 constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission  
 5 of Title 18, United States Code, Section 669, involving a Federal health care offense as defined  
 6 in Title 18, United States Code, Section 24, and are subject to forfeiture pursuant to Title 18,  
 7 United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c);  
 8 Title 18, United States Code, Section 982(a)(7); and Title 21, United States Code, Section  
 9 853(p):

- 10 1. 2007 Honda Accord EX Gray 4D Sedan, VIN 1HGCM56857A164507, Nevada  
 11 License Plate 452WVU;
- 12 2. 2011 EXP Limited 5.4L 4X4 Ford Expedition, Color: Sterling Gray Metallic, VIN  
 13 1FMJU2A53BEF36389, Nevada License Plate 929VJR;
- 14 3. 14k white gold cluster stud earrings with four princess cut diamonds surrounded  
 15 by 16 round diamonds;
- 16 4. Ladies stainless steel Breitling Lady Colt A72345 Watch with blue Mother of  
 17 Pearl dial, diamond bezel (28 diamonds), Serial No. 386210;
- 18 5. Ladies 14k white gold ring centered with one rectangle blue Tourmaline with 45  
 19 diamonds;
- 20 6. Ladies Tanzanite (approx. 40 carats) platinum ring with 152 brilliant diamonds;
- 21 7. Ladies 14k white gold with violetish red Garnet surrounded by 74 brilliant  
 22 diamonds;
- 23 8. Ladies platinum oval shaped bluish green Tourmaline with 92 brilliant diamonds;
- 24 9. Ladies 14k white gold ring, pear shaped cabochon cut black opal with blue play  
 25 of color and 50 diamonds;
- 26 10. Movado Womans watch with black in color face;

11. Edge Watch with brown leather like wrist band;
12. Tag Heuer lady's Watch silver in color;
13. Gucci Watch gold in color;
14. Necklace, silver in color, with Tiffany pendant heart shaped;
15. Necklace, silver in color, with floral design pendant;
16. Bracelet gold in color with green in color stones;
17. Bracelet gold in color appeared to be broken at time of seizure;
18. Bracelet clear stone type;
19. Pair of Earrings with green in color stones;
20. Metal ring, yellow in color with green in color stones;
21. Pair of Earrings tear drop shaped;
22. Pair of Earrings heart shaped;
23. Braided necklace, yellow in color;
24. Ring, silver in color with clear stones;
25. Pair of Earrings flower shaped;
26. Ring, silver in color with clear stones;
27. Pair of Earrings hoop shaped yellow in color;
28. Pair of Earrings, yellow in color with round white in color stones;
29. Thick Bracelet yellow in color;
30. Two (2) necklace like coils of wooden type beads;
31. Pair of Earrings, yellow in color;
32. "L" shaped pendant yellow in color;
33. Three (3) rings, yellow in color: One (1) with clear type stones, Two (2) with heart shaped designs;
34. Ring, white in color with clear stones;
35. Two (2) Rings yellow in color with blue in color stones;

1 36. Ring, yellow in color with green in color stone;

2 37. Ring, heart shaped with clear stones;

3 38. Two (2) Rings yellow in color with white in color stones;

4 39. Five Bracelets: Two (2) yellow in color; Two (2) yellow in color with name plates  
5 on them "Lucas" and "Joshua"; One (1) yellow in color with green stones;

6 40. Necklace, white in color;

7 41. Necklace, white in color with tear drop pendant;

8 42. One (1) Necklace, white in color with pink in color stone; One (1) pair of earrings  
9 with pink in color stones;

10 43. One (1) Necklace, gold in color; and One (1) Bracelet gold in color;

11 44. One (1) pendant with picture; and One (1) round pendant yellow in color; and

12 45. Pair of Earrings, orange in color

13 (all of which constitutes property)

14 and an in personam criminal forfeiture money judgment of \$1,300,000 and that the  
15 property will be applied toward the payment of the money judgment.

16 This Court finds the United States of America is now entitled to, and should, reduce the  
17 aforementioned property to the possession of the United States of America.

18 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
19 the United States of America should seize the aforementioned property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States  
21 recover from ROBERT W. BARNES an in personam criminal forfeiture money judgment of  
22 \$1,300,000.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest  
24 of ROBERT W. BARNES in the aforementioned property is forfeited and is vested in the United  
25 States of America and shall be safely held by the United States of America until further order of  
26 the Court.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of  
2 America shall publish for at least thirty (30) consecutive days on the official internet government  
3 forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited  
4 property, state the time under the applicable statute when a petition contesting the forfeiture must  
5 be filed, and state the name and contact information for the government attorney to be served  
6 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,  
7 Section 853(n)(2).

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or  
9 entity who claims an interest in the aforementioned property must file a petition for a hearing to  
10 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be  
11 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,  
12 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature  
13 and extent of the petitioner's right, title, or interest in the forfeited property and any additional  
14 facts supporting the petitioner's petition and the relief sought.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be  
16 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no  
17 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than  
18 sixty (60) days after the first day of the publication on the official internet government forfeiture  
19 site, [www.forfeiture.gov](http://www.forfeiture.gov).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if  
21 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at  
22 the following address at the time of filing:

23 Daniel D. Hollingsworth  
24 Assistant United States Attorney  
25 501 Las Vegas Boulevard South, Suite 1100  
26 Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described  
2 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate  
3 agency following publication of notice of seizure and intent to administratively forfeit the above-  
4 described property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies  
6 of this Order to all counsel of record and three certified copies to the United States Attorney's  
7 Office, Attention Asset Forfeiture Unit.

8 Dated: June 9, 2016.

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12 UNITED STATES DISTRICT JUDGE  
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